



UNITED STATES BANKRUPTCY
COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Mester & Schwartz, P.C.
Jason Brett Schwartz, Esquire
Bar No. 4217
1333 Race Street
Philadelphia, PA 19107

In Re:

**BETTE B. LEIBOWITZ,
Debtor**

Case No.: 18-24469-MBK

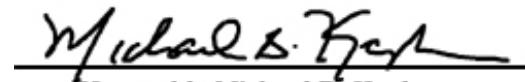
Judge: Michael B. Kaplan

**AMENDED CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2018 BMW 2 SERIES CONVERTIBLE 2D 230xi AWD**

The relief set forth on the following pages, number two (2) through four (4) is hereby

ORDERED.

DATED: March 8, 2019



Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Bette B. Leibowitz

Case No.: 18-24469-MBK

Caption of Order: Amended Consent Order Modifying Stay as To Personal Property

1. The 11 U.S.C. § 362(a) Stay as to Financial Services Vehicle Trust, its successors and/or assigns ("Movant"), with respect to the personal property of the Debtor described as a 2018 BMW 2 Series Convertible 2D 230xi AWD, V.I.N. WBA2K1C54JVB64517, in accordance with the agreement of the Debtor and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtor complies with the following terms and conditions:

- (a) Debtor has made all post-petition payments that have come due through March 4, 2019.
- (b) Debtor will resume making all future regular monthly installment payments of \$765.00 (subject to changes for taxes, insurance costs and late fees, if any) beginning on March 22, 2019; Debtor will timely make each payment in accordance with the terms and conditions of the loan document between Debtor and Movant.
2. Debtor will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtor will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$481.00 for attorney's fees and costs.
3. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

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Debtor: Bette B. Leibowitz

Case No.: 18-24469-MBK

Caption of Order: Amended Consent Order Modifying Stay as To Personal Property

4. Debtor will be in default under the Consent Order in the event that Debtor fails to comply with the payment terms and conditions set forth in Paragraph 1, *supra*. If Debtor fails to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtor and counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stays imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

5. In the event Debtor converts to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted immediate relief from the automatic stay provision of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle.

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Debtor: Bette B. Leibowitz
Case No.: 18-24469-MBK

Caption of Order: Amended Consent Order Modifying Stay as To Personal Property

6. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

7. The Consent Order by this Court on December 27, 2018 is vacated and superseded by this Amended Consent Order.

We hereby Consent to the form and entry of the foregoing Order.



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Robert C. Nisenson, LLC
10 Auer Court
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East Brunswick, NJ 08816
Attorney for Debtor



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Attorney for Financial Services Vehicle Trust

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
 Bette B. Leibowitz
 Debtor

Case No. 18-24469-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Mar 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 10, 2019.

db +Bette B. Leibowitz, 18 Raritan Reach Road, South Amboy, NJ 08879-3439

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 10, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 8, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Denise E. Carlon on behalf of Creditor DITECH FINANCIAL LLC dcarlon@kmllawgroup.com,
 bkgroup@kmllawgroup.com
 Janine A. Getler on behalf of Creditor SB One Bank jgetler@ggpclaw.com,
 mstoll@ggpclaw.com;cmatovic@ggpclaw.com
 Jason Brett Schwartz on behalf of Creditor Financial Services Vehicle Trust (FSVT)
 jschwarz@mesterschwartz.com
 Rebecca Ann Solarz on behalf of Creditor DITECH FINANCIAL LLC rsolarz@kmllawgroup.com
 Robert C. Nisenson on behalf of Debtor Bette B. Leibowitz rnisenson@aol.com,
 nisensonlaw@aol.com;g2729@notify.cincompass.com;nisensonrr70983@notify.bestcase.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7